

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Klivans, Norman R. on July 29, 2010, and August 2, 2010.

Claims 72-76 are cancelled.

Claim 59 amended as follows:

Claim 59 (currently amended): A non transitory record carrier having material recorded thereon, the recorded material comprising:

a video signal including in its blanking intervals at least one modified characteristic defining an encoded pattern corresponding to data relating to subsequent uses of the video signal;

wherein the modified characteristic is of the type to inhibit making an acceptable analog recording of the video signal;

wherein the at least one characteristic defines the encoded pattern which specifies the three states of:

an off state;

an indication of allowing subsequent digital storage; and

an indication of how long to allow subsequent digital storage;

wherein the indication of how long to allow subsequent digital storage is a watermark located in the analog video signal including an encoded for number of digital storage duration units.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thai Tran/
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